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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,948	12/22/2000	Kazuo Nagatani	FUSA 18.164	2119
26304	7590	05/13/2004	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			WILLIAMS, LAWRENCE B	
ART UNIT		PAPER NUMBER		5
2634		DATE MAILED: 05/13/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/745,948	Applicant(s) NAGATANI ET AL.
Examiner	Art Unit	
Lawrence B Williams	2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 December 2000.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1-22 is/are allowed.

6) Claim(s) _____ is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 22 December 2000 is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because:
 - a.) Examiner suggests applicant replace the label for item 3, DA in Fig. 23 with D/A.
 - b.) Examiner suggests applicant replace the label for item 3, DA in Fig. 25 with D/A.
 - c.) Examiner suggests applicant replace the label for item 12, AD in Fig. 25 with A/D.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: Examiner suggests applicant rewrite the first paragraph of page 1 for clarification purposes.
Appropriate correction is required.
3. The disclosure is objected to because of the following informalities: Examiner suggests applicant replace DA with "D/A" on line 23 of page 1.
Appropriate correction is required.

4. The disclosure is objected to because of the following informalities: Examiner suggests applicant replace DA with "D/A" on line 7 of page 12. Examiner suggests applicant fix any possible remaining occurrences of this defect in the specification.

Appropriate correction is required.

5. The disclosure is objected to because of the following informalities: Examiner suggests applicant replace AD with "A/A\D" on line 7 of page 13. Examiner suggests applicant fix any possible remaining occurrences of this defect in the specification.

Appropriate correction is required.

6. The disclosure is objected to because of the following informalities: Reference character "51c" has been used to designate both power amplifier and feedback system in line 4 of page 13.

7. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

8. Claim 1 is objected to because of the following informalities: Claim 1 recites the limitation "said device" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

9. Claim 2 is objected to because of the following informalities:

a.) Examiner suggests applicant place an "a" between at and sampling in line 3 of the claim.

b.) Claim 2 recites the limitation "the correlation" in line 10. There is insufficient antecedent basis for this limitation in the claim. Examiner suggests applicant us an indefinite article, "a".

c.) Claim 2 recites the limitation "the phase difference" in line 11. There is insufficient antecedent basis for this limitation in the claim. Examiner suggests applicant us an indefinite article, "a".

Appropriate correction is required.

10. Claim 3 is objected to because of the following informalities: Claim 3 recites the limitation "said delay time decision unit" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

11. Claim 11 is objected to because of the following informalities: Examiner suggests applicant rewrite lines 3-8 of the claim for clarification purposes.

Appropriate correction is required.

12. Claims 1-22 are allowed.

13. The following is a statement of reasons for the indication of allowable subject matter:

The instant application discloses a distortion compensating apparatus. An extensive search of prior art references have failed to disclose an apparatus teaching a delay time decision unit for calculating the correlation between an input signal and feedback signal while varying the phase difference between both signals accompanied by the remaining limitations of independent claims 1, 2 and 15.

Conclusion

14. This application is in condition for allowance except for the following formal matters:

- a.) Drawing objections as noted above.
- b.) Specification objections as noted above.
- c.) Claim objections as noted above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 703-305-6969. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lawrence B. Williams

lbw
April 2, 2004



STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600